



Economic Impact Analysis Virginia Department of Planning and Budget

12 VAC 5-475 – Virginia Organ and Tissue Donor Registry Virginia Department of Health

June 22, 2001

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 9-6.14:7.1.G of the Administrative Process Act and Executive Order Number 25 (98). Section 9-6.14:7.1.G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the Proposed Regulation

Legislation passed by the 2000 General Assembly established an Organ and Tissue Donor Registry and directed the Department of Health (VDH) to promulgate regulations to administer the registry. The proposed regulation includes provisions regarding:

- Access to the registry,
- Registry membership,
- Data to be recorded,
- Removal from the registry, and
- Use and dissemination of registry information.

Estimated Economic Impact

Currently, citizens may designate themselves to be an organ and tissue donor on a donor card, through an advance medical directive, or on their driver's license. VDH notes several problems with the current system, including the minimal level of data the Department of Motor Vehicles is allowed to release on donors, the fact that any changes to a driver's license are

subject to a \$5 fee which affects the ease of changing donor designations, and the difficulty in certain settings of identifying individuals who have consented to be donors.

By implementing the new Virginia Organ and Tissue Donor Registry, the proposed regulation can be anticipated to expedite the identification of potential organ and tissue donors, and provide data to evaluate and improve education efforts by the Virginia Transplant Council. Cost for the initial development and implementation of the registry is estimated at \$75,000 and support and maintenance of the registry is estimated at \$21,488 annually. Members of the Virginia Transplant Council authorized to use the registry will be required to report data regarding their use of the registry. The cost of these reports cannot be determined at this time, but are unlikely to outweigh the benefits provided by the registry to these organizations.

One potential disadvantage noted by VDH could be the public perception of government attempting to create a database that further invades the right of privacy for citizens. If this view is held by many, the new registry could possibly reduce participation and the availability of donated organs. However, since inclusion in the registry is voluntary, individuals have the option to remove themselves at any time, and the registry will be considered confidential and available only to authorized members of the Virginia Transplant Council, the likelihood of strong negative public opinion is small.

The following table summarizes the anticipated effects resulting from promulgation of this regulation. While the overall net economic impact is not measurable at this time, it is likely to be positive.

Estimated Economic Impact of the Proposed *Virginia Organ and Tissue Donor Registry* (12 VAC 5-475)

Expected Effect	Estimated Cost	Estimated Benefit
Initial development of the registry	\$75,000	
Support and maintenance of the registry	\$21,588 per year	
Reporting requirements for users of the registry	not known at this time but unlikely to outweigh the benefits provided by the registry to these organizations	
Increase in organ and tissue donations resulting from quicker identification of potential donors and improved education efforts		not quantifiable, but likely very significant

Businesses and Entities Affected

The proposed regulation will affect any Virginian who indicates a willingness to donate their organs, eyes, and tissue for transplantation or research. Inclusion in the registry is voluntary and members may remove themselves at any time. Members of the Virginia Transplant Council authorized to use the registry will also be affected by the proposed regulation.

Localities Particularly Affected

The proposed regulation is not expected to uniquely affect any particular localities.

Projected Impact on Employment

The proposed regulation is not expected have any impact on employment in Virginia.

Effects on the Use and Value of Private Property

The proposed regulation is not expected have any effects on the use and value of private property in Virginia.